

## ANTI-LYNCHING BILL PASSED BY HOUSE

Volstead Substitute Is Adopted, Vote Being 230 to 119.

### N. Y. DEMOCRATS HELP

Seventeen Republicans, Including Alice Robertson, Oppose the Measure.

### PREDICT SENATE DEATH

Minority in Upper House, It Is Believed, Will Prevent a Decision.

Special Dispatch to THE NEW YORK HERALD.

New York Herald Bureau, Washington, D. C., Jan. 26.

With the substitution of an amendment by Representative Volstead (Minn.) for the original anti-lynching bill introduced by Representative Dyer (Mich.), the House to-day by a vote of 230 to 119 passed the measure in a matter of fact way. There was no demonstration during the roll call or when the result was announced, although the galleries were crowded.

The bill now goes to the Senate, where it will be referred to the Judiciary Committee. It is doubtful that the minority will allow it to come to a vote in the Senate, and it is predicted that it will die in that branch.

As approved by the House it is less drastic than the original bill. The substitution was made at the earnest solicitation of many leading Republicans from the border States, who were thus brought into line. Party lines for the most part held tight, although seventeen Republicans voted against the measure and eight Democrats for it.

The Republicans voting against the measure were: Harbort, (Cal.), Brown (Tenn.), Clouse (Tenn.), Curry (Cal.), French (Idaho), Herrick (Okla.), Hersey (Me.), Jones (Pa.), Kelley (Mich.), Layton (Del.), Luce (Mass.), Nolan (Cal.), Parker (N. J.), Robertson (Okla.), Sinnott (Ore.), Slomp (Va.) and Stafford (Wis.).

### Democrats for Bill.

Democrats voting for the measure were: Campbell (Pa.), Cockran (N. Y.), Cullen (N. Y.), Gallivan (Mass.), Johnson (Ky.), Mead (N. Y.), O'Brien (N. J.) and Rainey (Ill.).

There was considerable applause from the Democratic side when Alice Robertson, Republican, the only woman in the House, voted against the bill.

Six of the Representatives from New York city were absent when the vote was taken. They were Representatives Kindred, Riordan, Sullivan, Carew, Griffin and Mills. The other Representatives from New York, both Democrats and Republicans, voted for it.

As revised and passed by the House the bill defines a mob as an unlawful assemblage of three or more persons and provides that any State or municipal officer who fails, neglects or refuses to make all reasonable efforts to prevent a lynching, or refuses to make all reasonable efforts to perform his duty in apprehending or prosecuting all persons

## 4,742 OYSTERS HOMELESS IN WHIRLWIND SHUCKING BOUT

Winner Lures 1,278 Bivalves From Ambush in Single Crowded Hour, While the Runner Up With Shimmy Technique, Opens 1,192.

Special Dispatch to THE NEW YORK HERALD. PROVIDENCE, R. I., Jan. 26.—After a good deal of boasting and challenging, Rhode Island's premier oyster opener finally got into action and had it out to-night in Scenic Hall here.

The shell crown for king shuckers went to Antonio Primiano of Warren, and the Greene Oyster Company, who deprived 1,278 oysters of their wardrobes in the course of an hour. That was but six better than his nearest competitor, John Fontes of East Providence and the Rhode Island Oyster Farms Company, managed to pry out of their shells in the same period. The third entrant and popular favorite, James W. Miller of Riverside and the Cape Ann Oyster Company, was a limping third with 1,192 oysters for the sixty minutes of work.

For a while it appeared that the contest was elaborately staged by Henry S. Wirsching, president of the Rhode Island Oyster Company, would be a total loss. As was well up for "Jimmy" Miller, but he was late in getting over from Riverside. He finally arrived, and as a premier oyster opener, he had more attendants than a prize fighter. One assistant pulled on his rubber boots while another adjusted his rubber apron. Still another massaged his muscles with a small, dark chap was adjusting a leather guard to his right or left hand and putting a cotton mitt on the other hand.

The winner, Primiano, seemed to be getting along without any camp followers, and Fontes chewed his gum with plenty of vigor and assurance. When the rubbers and other attendants finished, Miller and his two rivals posed for their photographs on the stage. They stood against a pink and gilt backdrop representing a drawing room of the Bristol county Ming period. In front

of them was a long table loaded with oysters "fully clothed."

From the start it was apparent to the experts that Primiano was making the pace. Only Jack London, who used to pirate oysters out in "Grisco Bay," could do his performance justice. He twisted an oyster from its shell with all the art of Kreisler fiddling and the sureness of "Babe" Ruth stepping to bat to "bust" the fence. Jabbing his short bladed knife in the shell he revealed a peculiar twist which rendered the oyster utterly helpless, and he did it for a whole hour without a lost motion.

Fontes is a gum chewer and he smokes cigarettes even while working at top speed. And he grins constantly. His method of attack is radically different from that favored by Primiano. Instead of twisting his prize, all the time he has a motion that is a perfect shimmy, and this notwithstanding a dozen signs tacked around the walls reading "No shimmying or pivot dancing will be tolerated." His manner of holding the pivot would get promotion for any corporal, and the way he bays oysters is a romance.

Miller's method is like Primiano's, but he has more temperance. Just before the contest started Ernest Inglehouse played "The Rosary" on his cornet.

When the last oyster was evicted Dan Tourjee announced that the shuckers had skinned twenty-three bushels, leaving ten barrels of shells on the scene, and providing enough of this brand of sea food to fill all the piddle shells now manufactured in these United States, with enough left over to last out the banquet season in the New England States. That seems a big job for 4,742 oysters. Mr. Tourjee also announced that Mr. Wirsching would back the winner against any oyster shucker on the Atlantic seaboard.

sons participating shall be guilty of a felony, and upon conviction thereof shall be punished by imprisonment not exceeding five years or by a fine of not exceeding \$5,000, or by both such fine and imprisonment.

It says further that "any State or municipal officer who shall conspire with any person to put such prisoner to death without authority or to suffer such prisoner to be taken from his custody or control shall be guilty of a felony, and those who conspire with such officer shall likewise be guilty of a felony. Imprisonment for life or not less than five years is provided.

**Federal Courts to Act.**

The Federal District Court of the district wherein a person is put to death by a mob shall have jurisdiction to try and punish, in accordance with the laws of the State where the homicide is committed, those who participate therein when the proper State officers neglect or refuse to do their duty.

Any county in which a person is put to death by a mob shall forfeit \$10,000, which may be recovered in the name of the United States against such county for the use of the family, if any, of the person so put to death; if he had no family, then to his dependent parents.

Where a mob captures a victim in one county and puts him to death in another the county in which he is killed and the county in which he is put to death shall be jointly liable.

Section 7 provides that any crime committed in any State or Territory against a citizen or subject of a foreign country, where the rights of such citizen or subject are secured by treaty, shall constitute a like crime against the peace and dignity of the United States, punishable in like manner as in the courts of said State or Territory, and may be prosecuted in the courts of the United States.

The District of Columbia is to be deemed a county, as shall also each of the parishes of the State of Louisiana.

## MAYORS REJECT HYLAN HOME RULE

State Conference Approves Nonpartisan Measure Now Pending.

Special Dispatch to THE NEW YORK HERALD.

New York Herald Bureau, Albany, Jan. 26.

After rejecting Mayor Hylan's plan, giving cities unrestricted rights in adopting charters prescribing home rule, the State conference of mayors to-day went on record as approving the non-partisan home rule measures now pending in the Legislature.

Mayor Hylan proposed that cities of the State join in demanding complete independence of the Legislature in the adoption of charters. His suggestions were taken up by a special committee at the conference in Buffalo recently and that committee presented its report here to-day, rejecting the Hylan-O'Brien scheme.

William S. Rann, Corporation Counsel of Buffalo, and chairman of the special committee of the conference, made the report, which was adopted unanimously. Present at the conference were Mayor William H. Hackett of Albany and city officials representing New York, Troy, Utica, Saratoga, Hudson and Watervliet.

The conference indorses the Tolbert-Donohue-Walker and other home rule amendments now before the Legislature. These measures are practically identical. Only one amendment was suggested. This would provide that "when local bills are disapproved by a city it cannot be re-passed by the Legislature excepting by a three-fifths vote." The rule now is a majority vote.

Gov. Miller's request for unlimited power to investigate the affairs of cities and counties was disapproved. The Mayors take the stand that the Legislature now has full authority to authorize any such investigations.

The conference went on record disapproving the Duggan bill creating housing boards, the bill giving cities the right to lend credit in housing projects; exempting property of veterans' associations from taxation; reducing the license fees for dogs and the Ferris bill defining public works.

### SHERIFF GETS BAGGAGE OF N. Y. BANKER'S WIFE

Guards Suite of Mrs. E. L. Harris in St. Louis Hotel.

Special Dispatch to THE NEW YORK HERALD.

St. Louis, Jan. 26.—A watchman representing the Sheriff's office guards the suite of Mrs. Elaine Lee Harris, 23, wife of a New York banker, in the Hotel Statler, to prevent removal of her trunks or hand baggage. The attachments follow a suit brought against Mrs. Harris by H. C. Shaw of Hot Springs, Ark., an automobile dealer, who says she owes him \$2,142. She is said to receive an allowance of \$15,000 a year from her husband.

Shaw alleges that Mrs. Harris in November gave him a check for \$2,100, balance on a loan originally \$3,000. He said the check was protested by a New York bank.

A "third party claim" was filed to-day with the Sheriff by E. M. Reeves, who occupies a room adjoining those of Mrs. Harris.

## MILLER PUTS FINAL END TO CITY'S CARFARE MYTHS

Continued from First Page.

doing here by clinging to this myth of the 5 cent fare was to make it more likely every month that you wouldn't be able to ride at all. What this town needs first of all is service.

"And I want to say to you also, in my judgment, the five cent fare can be preserved. In my judgment it will be preserved. It will be preserved by establishing a just rule to govern the problem, not on any theory you can get something for nothing—not on the theory that the people will be carried for less than it costs to carry them, including a proper return on the honest capital—and I emphasize 'honest'—that is used in their service. You can never extend your transit facilities unless you recognize that principle. If you apply it honestly and impartially all the evidence indicates you can get adequate extensions of transit facilities, and by the elimination of unnecessary waste and cost you can preserve, in all probability, the five cent fare."

The Governor said that although Comptroller Craig might dissent the city's borrowing capacity was now frozen in from \$250,000,000 to \$300,000,000 worth of subway bonds, the interest on which is paid by the city's taxpayers. Unless that frozen credit can be released, he said the city had no sufficient borrowing capacity to extend transit facilities or to undertake other public works.

In support of his assertion that he favored home rule for municipalities the Governor pointed out that the Legislature had full power to have imposed a new charter upon New York city without reference to the wishes of its citizens. He realized, he said, that no city problem could be successfully solved unless the solution met with favor, and he had purposely appointed a Charter Revision Commission with a majority of Democrats so that no one could say he had sought partisan advantage. He said he entertained the hope that the new charter would provide for a larger measure of home rule with regard to purely local affairs.

"This talk about home rule, much of it," the Governor said, "is intended solely for public consumption or to serve political purposes at election. It is a phrase that is time to confute with, and some of those who confute with it most readily wish to apply it the least when it comes to the concrete case."

The Governor declared that it would have been easy for him to have left the transit and port development problems continue to remain in politics.

"But I did not think," he said, "I had any right to delay one moment longer than was necessary, merely for political expediency. I selected the Transit Commission members regardless of politics. I was told it wasn't expedient and that I would reject the present city administration, and it seems I did."

At the time Eugene H. Outerbridge was named as chairman of the Port Authority, the Governor said he didn't know what his politics were.

"It was important that all the interests here should be represented, and I thought I could not find a better man than the one who had beaten me at the fall election by something like \$25,000 or more majority, and so I appointed Alfred E. Smith as another member," said the Governor.

The soundness of the Port Authority scheme for development here was praised by the Governor, who urged that if any one had a better plan it be submitted.

"You cannot always have a town meeting to determine whether a thing shall be done or not, and frequently dis-

cussion leads merely to discussion, and as I feel that the time has come for action," said Gov. Miller. "The time for mere obstruction is over."

"I deplore, and cannot make my language too strong, the disposition which seems to exist in some quarters to create factious differences, to create political differences in dealing with problems in which there should be no politics whatsoever. I want to disabuse the minds of anybody that the up-State has any desire, intention or purpose to jam something down the throats of the people of this city that they do not want. Instead of seeking to set up an independent sovereignty here, the gateway of the nation, which I assure you is not very likely to ever receive consummation, because the people of this town even do not want it, their interests would not be subserved by it, instead of doing those things I want to leave the thought that the people of this State, all within its four corners, should seek to cooperate to do those things which are in the interests of all the people."

Included among the thousand guests at the luncheon were Judge Francis M. Scott, chairman of the Charter Revision Commission; George McAneny, chairman of the Transit Commission; Eugene H. Outerbridge, chairman of the Port Authority, and the other members of the three bodies; Adolph Lewisohn, Albert Goldman, president of The Bronx Board of Trade; William R. Willcox, Lee Kohn, president of the Board of Trade and Transportation; Charles D. Hilles, Charles D. Norton, Samuel W. Reyburn and Henry B. Carse. William C. Breed, chairman of the members' council, was toastmaster.

Speaking in the evening at the Morris High School, in The Bronx, Gov. Miller again discussed the transit situation, declaring that an opportune time now exists for the city to take control of the lines.

He also took up the housing situation and evoked much applause by declaring that the emergency rent laws would undoubtedly be carried over for at least another year.

The tax exemption law, he said, had stimulated the building of the better class apartments, because people regarded these as more profitable investments, while there still existed a dearth of the lower grade tenement houses.

"The situation in the low priced tenement houses, I am told, is very acute, and that is extremely unfortunate, because it works hardship on those less fitted to bear the burden. I feel, though, that the economic law will probably assert itself and the building of higher class apartments will be so overdue it will equalize the situation and bring down rents all around."

### BOSTON SEES NICKEL FARE.

Boston, Jan. 26.—Lower street car fares here were predicted by Winthrop Coffin, a member of the trustees of the Boston Elevated Railway, at a legislative committee hearing to-day. There will be a public hearing on January 30 on the question of establishing a 5 cent fare. The present unit is 10 cents.

### CZECHS SPURN MOSCOW REDS.

Prague, Czechoslovakia, Jan. 26.—The Trades Union Congress to-day by vote of 338,000 to 222,000 rejected a motion to join the Moscow Internationale. At the present time the congress is affiliated with the Amsterdam Internationale.

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